

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8

9 DEBARON SANDERS,

10 Petitioner,

2:14-cv-01966-JCM-NJK

11 vs.

ORDER

12 BRIAN WILLIAMS, SR., *et al.*,

13 Respondents.
14 _____ /
15

16 In this habeas corpus action, brought by Nevada prisoner Debaron Sanders, the court
17 granted Sanders' motion for appointment of counsel and ordered counsel appointed on his behalf.
18 *See* Order entered January 25, 2016 (ECF No. 21); Order entered February 8, 2016 (ECF No. 23).
19 On March 8, 2016, counsel appeared for Sanders. *See* Notice of Appearance for Petitioner (ECF
20 No. 24).

21 Before counsel was appointed for petitioner, respondents filed a motion to dismiss Sanders'
22 *pro se* habeas petition. *See* Motion to Dismiss, filed December 2, 2015 (ECF No. 13). The court
23 suspended briefing of that motion pending the appointment of counsel for Sanders. *See* Order
24 entered January 25, 2016 (ECF No. 21). The briefing of the motion to dismiss will remain
25 suspended, as counsel becomes familiar with Sanders' case, and determines whether amendment of
26 Sanders' petition is necessary.

1 The court will set a deadline for Sanders to file a first amended petition for writ of habeas
2 corpus, or a notice indicating that he will not file an amended habeas petition.

3 The court will set a schedule for further proceedings in this action after Sanders files either
4 the amended petition or the notice that there will be no amended petition.

5 **IT IS THEREFORE ORDERED** that petitioner shall, within **45 days** after the entry of this
6 order, file and serve a first amended petition for writ of habeas corpus or a notice stating that he will
7 not file an amended habeas petition.

8
9 Dated March 28, 2016.

10
11 
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26